**THE HON'BLE SRI JUSTICE V.V.S.RAO**

**WRIT PETITION No.2627 of 2007**

**Dated:09.04.2007**

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Between:

Sri B.V.Venkata Reddy and others.

... Petitioners

AND

The District Collector and others

... Respondents

**THE HON'BLE SRI JUSTICE V.V.S.RAO**

**WRIT PETITION No.2627 of 2007**

**ORDER:**

The petitioners are brothers. They allege that their father, V.Gurrapa, and their uncle V.Thimma Reddy were members of a joint family, which allegedly own lands in Survey Nos.105 to 109, 141 and 394 situated at Pedda Chellaragunta Village of Baireddypalle Mandal in Chittoor District. There was a civil litigation at the instance of one Kodanda Ramaiah Chetty against the father of the petitioners, and ultimately, the matter was decided in favour of the petitioners' family. Be that as it is, the petitioners approached the third respondent on 25.06.1999 and made an application in Form VI(A) under Section 4(1) of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, read with Rule 18 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Rules, 1989. They state that the enquiry into the question of issue of pattadar pass books to them is still pending. In the meanwhile, the fifth respondent made a complaint to the third respondent alleging that when he was cultivating paddy crop in an extent of Acs.5.00, the first petitioner obstructed and raised a dispute. In response to such complaint by the fifth respondent, the third respondent issued a notice bearing R.O.C.No.A2/67/2006, dated 10.01.2007, to the petitioners and others requesting them to appear before him for enquiry on 20.01.2007. Alleging that the issuance of the said notice by the third respondent is illegal and arbitrary, especially, when their request for issuance of pattadar pass books is pending, the

petitioners filed the instant Writ Petition seeking appropriate declaration.

After getting instructions, the learned Assistant Government Pleader for Revenue (General-A) submits that the enquiry into the question of issuance of pattadar pass books is pending, and therefore, the petitioners may approach the Mandal Revenue Officer. As the enquiry is still pending, it is reasonable to accept the third respondent to take up the enquiry for issuance of pattadar pass books to the petitioners, as well as the complaint made by the fifth respondent together. If necessary, the complaint made by the fifth respondent or any other third party may be treated as objections, and appropriate decision may be taken by the Mandal Revenue Officer. This observation would be sufficient redressal for the petitioners. This Court also observes that the Mandal Revenue Officer (Tahasildar) may complete the enquiry for issuance of pattadar pass books within a period of eight weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

09.04.2007
vs